

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

HUSSEIN O. ALI,

Plaintiff,

v.

EQUIFAX, INC., ET AL.,

Defendants.

Case No. 1:23-cv-00199-JLT-BAM

**ORDER GRANTING EQUIFAX, INC.’S  
UNOPPOSED MOTION FOR JUDGMENT  
ON THE PLEADINGS**

(Doc. 10)

Hussein O. Ali filed his complaint in Fresno County Superior Court on September 13, 2022, asserting a claim under the federal Fair Credit Reporting Act, (“FCRA”), 15 U.S.C. § 1681, et seq. (Doc. 1-1.) Experian Information Solutions, Inc., removed the case to this Court on February 8, 2023. (Doc. 1.)

Equifax Inc. has moved for judgment on the pleadings, arguing that it is not a proper defendant in this action because it is not a consumer reporting agency as that term is defined in the FCRA.<sup>1</sup> (Doc. 10.) Plaintiff’s complaint alleges only that Equifax Inc. is “a Georgia corporation with its principal place of business in Atlanta, Georgia, providing credit information and risk management services to business and consumers.” (Doc. 1-1 ¶ 1.) Plaintiff does not

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<sup>1</sup> The term “consumer reporting agency” is defined in the FCRA to mean “any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.” 15 U.S.C. § 1681a(f).

1 allege that Equifax Inc. is a covered consumer reporting agency. Equifax Inc. points out that it has  
2 informed Plaintiff in another lawsuit that it is not a consumer reporting agency. (*See Answer*  
3 [*Doc. 3*], at 4 (“Fourth Defense”), *Hussein O. Ali v. Equifax Inc., et al.*, No. 1:18-cv-00713-AWI-  
4 SKO (E.D. Cal. May 30, 2018) (“Equifax Inc. is not a consumer reporting agency under the Fair  
5 Credit Reporting Act.”).) Equifax Inc. also cites cases that have concluded Equifax Inc. is not a  
6 covered consumer reporting agency. (*See Doc. 10* at 4–5.) Rather, Equifax Inc. indicates that the  
7 consumer reporting agency for Plaintiff’s credit file is Equifax Information Services LLC. (*Doc.*  
8 *10* at 3.)

9 Equifax Inc.’s motion for judgment on the pleading was filed March 24, 2023. (*Doc. 10*.)  
10 Pursuant to Local Rule 230(c), any opposition was due April 7, 2023. No opposition was  
11 received. Therefore, the Court deems the motion unopposed. *See* L.R. 230(c) (“A failure to file a  
12 timely opposition may also be construed by the Court as a non-opposition to the motion.”).  
13 Considering the non-opposition and for the reasons set forth in Equifax Inc.’s motion, the motion  
14 for judgment on the pleadings is **GRANTED**.

15 The Clerk of Court shall enter judgment in favor of Equifax Inc.

16 The case shall remain open.

17  
18 IT IS SO ORDERED.

19 Dated: May 24, 2023

  
UNITED STATES DISTRICT JUDGE